

**PUBLIC MEETING
MINUTES**

The Public Meeting of the Mayor and Council was held in the Council Chambers and called to order at 7:42 PM. Adequate notification was published in the official newspaper of the Borough of Montvale. Master Sergeant Dieter Koelling led the Pledge of Allegiance to the Flag, and roll call was taken.

OPEN PUBLIC MEETING STATEMENT

Adequate notice of this meeting was provided to The Bergen Record and/or The Ridgewood News, informing the public of the time and place according to the provisions of the Open Public Meeting Law (Chapter 231, P.L. 1975).

Also Present: Mayor Mike Ghassali; Borough Attorney, Joe Voytus; Borough Engineer, Andy Hipolit; Administrator/Municipal Clerk, Maureen Iarossi-Alwan; and Deputy Municipal Clerk, Fran Scordo

ROLL CALL:

Councilmember Curry
Councilmember Gloeggler
Councilmember Koelling
Councilmember Lane
Councilmember Weaver - absent

Resolution No. 87-2017 Temporary Capital Budget

This was prepared by the CFO, a copy of the resolution is included with original minutes
Introduced by: Councilmember Lane; seconded by Councilmember Curry - All ayes

Resolution No. 88-2017 Temporary Budget Amendment

WHEREAS, an emergent condition has arisen with respect to certain budget appropriations and no adequate provision has been made in the 2017 temporary budget, and N.J.S.A. 40A:4-20 provides for the creation of emergency temporary appropriations for said purpose; and

WHEREAS, the total emergency temporary resolutions adopted in the year 2017 pursuant to the provisions of N.J.S.A. 40A:4-20 (Chapter 96, P.L. 1951) including this resolution total:

Current Fund \$2,010,604.89

NOW, THEREFORE, BE IT RESOLVED (not less than two-thirds of all the members thereof affirmatively concurring) that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. An emergency temporary appropriation be and the same is hereby made in the total amount of:

Current Fund \$574,593.00

2. That said emergency temporary appropriation (will be) provided in the 2017 budget;
3. That one certified copy of this resolution be filed with the Director of Local Government Services.

CURRENT FUND

General Appropriations
Operations - Within "CAPS"

General Liability	\$10,000.00
Employee Group Health	50,000.00
Police:	
Salaries and Wages	75,000.00
Public Buildings and Grounds:	
Other Expenses	25,000.00
Celebration of Public Events:	
Other Expenses	27,500.00
Construction Code Officials:	
Salaries and Wages	<u>5,000.00</u>
	<u>192,500.00</u>

Deferred Charges and Statutory
Expenditures - Municipal within "CAPS"

Statutory Expenditures:

Social Security System	10,000.00
Defined Contribution Retirement Program	<u>1,000.00</u>
	<u>11,000.00</u>
	<u>203,500.00</u>

Operations - Excluded from "CAPS"

Shared Service Agreements:

Department of Public Works:	
Other Expenses	<u>150,000.00</u>

Capital Improvements - Excluded from "CAPS"

Road Improvement Program	200,000.00
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Public and Private Programs offset by Revenues:

County of Bergen - Open Space: Huff Park Playground	<u>21,093.00</u>
	<u>221,093.00</u>
	<u>\$574,593.00</u>
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Introduced by: Councilmember Lane; seconded by Councilmember Koelling - All ayes

ORDINANCES:

PUBLIC HEARING OF ORDINANCE NO. 2017-1424 CALENDAR YEAR 2017 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 0.5% unless

authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the governing body of the Borough of Montvale in the County of Bergen finds it advisable and necessary to increase its CY 2017 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the governing body hereby determines that a 3.0% increase in the budget for said year, amounting to \$292,602.33 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the governing body hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the governing body of the Borough of Montvale in the County of Bergen, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2017 budget year, the final appropriations of the Borough of Montvale shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$341,369.38, and that the CY 2017 municipal budget for the Borough of Montvale be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption

Ordinance No. **2017-1424** was introduced for second reading by Councilmember Gloeggler; seconded by Councilmember Lane; Clerk read by title only;

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Curry
- all ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Curry
- all ayes

Motion to adopt on Second and Final Reading in Ridgewood News by Councilmember Lane; seconded by Councilmember Koelling; Clerk read by title only ----- A roll call vote was taken --- all ayes

INTRODUCTION BOND ORDINANCE NO. 2017-1425 ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF MONTVALE, IN THE COUNTY OF BERGEN, NEW JERSEY, APPROPRIATING \$1,250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,187,500 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.

(Public Hearing April 25th, 2017)

A motion to Introduce Ordinance **2017-1425** for first reading was made by Councilmember Gloeggler; seconded by Councilmember Lane; Clerk read by title only;

Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember Curry - A roll call was taken – all ayes

INTRODUCTION OF ORDINANCE NO 2017-1426 AN ORDINANCE TO AMEND ORDINANCE NO. 2016-1417 TO PROVIDE FOR AND DETERMINE THE RATE, AMOUNT AND METHOD OF PAYMENT OF COMPENSATION TO PERSONS HOLDING CERTAIN OFFICES AND POSITIONS OF EMPLOYMENT IN THE BOROUGH OF MONTVALE, COUNTY OF BERGEN AND STATE OF NEW JERSEY

(Public Hearing April 25th, 2017)

A motion to Introduce Ordinance **2017-1426** for first reading was made by Councilmember Gloeggler; seconded by Councilmember Lane; Clerk read by title only; Councilmember Lane made a motion that this ordinance be passed on first reading and advertised in The Ridgewood News; seconded by Councilmember Curry - A roll call was taken – all ayes

MEETING OPEN TO PUBLIC:

Agenda Items Only

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Koelling – all ayes

NO PUBLIC COMMENT

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Curry – all ayes

MEETING CLOSED TO PUBLIC:

Agenda Items Only

MINUTES:

March 28, 2017

A motion to accept minutes by Councilmember Curry; seconded by Councilmember Koelling – all ayes with the exception of Councilmember Lane abstaining

MINUTES CLOSED/EXECUTIVE SESSION:

March 20, 2107

A motion to accept minutes by Councilmember Lane; seconded by Councilmember Koelling – all ayes

March 28, 2107

A motion to accept minutes by Councilmember Koelling; seconded by Councilmember Curry – all ayes with the exception of Councilmember Lane abstaining

RESOLUTIONS:

89-2017 Approving Right-Of-Way Use To Cross River Fiber

WHEREAS, Cross River Fiber LLC ("Cross River Fiber"), seeks to place its telecommunications facilities aerially on existing utility poles or in an underground conduit in the Public Rights-of-Way within the Borough of Montvale for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system; and

WHEREAS, Cross River Fiber was approved by the New Jersey Board of Public Utilities to provide local exchange and interexchange telecommunications services throughout the State; and

WHEREAS, N.J.S.A. 48:3-19 requires Cross River Fiber to obtain the consent of the Borough of Montvale for the joint use of any existing utility poles; and

WHEREAS, N.J.S.A. 54:30A-124(a) provides that a municipality may not impose any fees, taxes, levies or assessments in the nature of a local franchise, right of way, or gross receipts fee, tax, levy or

assessment against telecommunications companies but that a municipality may impose reasonable fees for actual services made by any municipal, regional or county governmental agency; and **WHEREAS**, it is in the best interests of the Borough of Montvale and its citizens to grant consent to Cross River Fiber; and

WHEREAS, the consent granted is for the non-exclusive use of the Public Rights-of- Ways for the purpose of owning, constructing, installing, operating, repairing and maintaining a telecommunications system subject to the terms and conditions of the attached Use Agreement with Cross River Fiber.

NOW THEREFORE BE IT RESOLVED, by the Borough of Montvale hereby authorized to grant Cross River Fiber a non-exclusive use of the Public Rights-of-Ways for the purpose of owning, constructing, installing, operating repairing and maintaining a telecommunications system; and

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to execute any and all documents necessary to effectuate this Resolution.

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - All ayes
Councilmember Curry asked if this resolution was already done; the borough attorney stated a resolution was done for Verizon; this is to upgrade fiber lines

90-2017 Cancellation of Outstanding Checks / Prior Years / Pascack Joint Municipal Court

WHEREAS, there exists various outstanding checks from prior years drawn against certain accounts; and

WHEREAS, the Municipal Court Administrator provided a listing of outstanding checks that require cancellation (listing attached) from prior years.

BE IT RESOLVED, the Chief Financial Officer is hereby authorized to deposit these funds to the respective reserve or surplus account;

BE IT FURTHER RESOLVED, the Municipal Court Administrator shall receive a copy of this resolution for record keeping; and

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Montvale that the following outstanding checks from prior years be cancelled;

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - All ayes

91-2017 A Resolution Awarding a Contract to George Ely Associates for the Provision of Playground Equipment for Huff Park Through a Cooperative Purchasing Agreement with the Houston Galveston Area Council

WHEREAS, the Borough of Montvale has a need for the provision of new playground equipment at Huff Park on Memorial Drive in the Borough of Montvale; and

WHEREAS, consistent with P.L. 2011, c.139, and N.J.S.A. 52:34-6.2(b), the Borough is desirous of awarding this contract through the Houston Galveston Area Council HGACBuy program, a national cooperative purchasing agreement; and

WHEREAS, the Borough did solicit quotes from five (5) vendors, with three (3) of these vendors providing price quotes; and

WHEREAS, after review of these proposals, it was determined that the lowest priced proposal that was responsive to and fully-compliant with the Borough's requirements was submitted by George Ely Associates ("GEA") in the amount of \$90,093.60; and

WHEREAS, it was also determined that GEA had submitted all required documentation for this solicitation; and

WHEREAS, consistent with P.L. 2011, c.139, the Borough did conduct a cost savings determination justifying the award of this contract under a national cooperative contract; and

WHEREAS, GEA will be required to submit to the Borough a copy of its New Jersey Business Registration Certificate, Statement of Corporate Ownership, and Public Contract EEO Compliance, as well as all required political contribution disclosure forms, prior to execution of a contract; and

WHEREAS, the Borough provided notice to the public and potential bidders of its intention to make this award by way of a Notice of Intent to Award a Contract under a National Cooperative Purchasing Agreement, a copy of which notice is on file with the Borough Clerk, more than ten (10) days in advance of this award; and

WHEREAS, GEA’s proposal was within the funds allocated for this project and within the estimate for this work; and

WHEREAS, the Borough’s Chief Financial Officer has certified that funds have been appropriated and are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that a contract for the above-referenced project shall be awarded as follows:

Bidder	In the amount of:
George Ely Associates	TOTAL: \$90,093.60
P.O. Box 396	
Carlisle, Pennsylvania 17013	

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute a contract to effectuate the purpose of this Resolution, subject to approval by the Borough Attorney.

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - All eyes

92-2017 A Resolution Awarding a Contract to New Prince Concrete for the Montvale Intersection Improvements Project for the Base Bid Plus Alternate B

WHEREAS, the Borough of Montvale has a need for construction services in connection with the Montvale Intersection Improvements Project; and

WHEREAS, consistent with the New Jersey *Local Public Contract Law, N.J.S.A. 40A:11-1*, et seq., the Borough of Montvale did publicly solicit bids for said project under the title “Montvale Intersection Improvements” with bids due on February 23, 2017; and

WHEREAS, said solicitation requested bids for a Base Bid plus Alternates “A” and “B”; and

WHEREAS, in response to said solicitation, five (5) bids were received; and

WHEREAS, the Mayor and Council, in consultation with the Borough Engineer have determined that sufficient funds are available to perform the work included in the Base Bid plus Alternate “B” only; and

WHEREAS, the Borough of Park Ridge has not authorized the work set forth in Alternate “A”; and

WHEREAS, the lowest bid for the Base Bid plus Alternate “B” was submitted by New Prince Concrete, maintaining offices at 215 Eileen Terrace, Hackensack, New Jersey, in the total amount of \$2,549,689.59; and

WHEREAS, said bid was within the funds allocated for this project and within the Engineer’s estimate for this work; and

WHEREAS, the offices of the Borough Engineer and Borough Attorney have reviewed this bid and have deemed it responsive to the bid specifications; and

WHEREAS, the Borough’s Chief Financial Officer has certified that funds have been appropriated and are available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Montvale, that a contract for the above-referenced project shall be awarded as follows:

Bidder	In the amount of:
New Prince Concrete	Base Bid \$2,064,244.05
215 Eileen Terrace	Alternate “B” \$ 485,445.54
Hackensack, New Jersey 07601	TOTAL \$2,549,689.59

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk are hereby authorized to execute all documents necessary to effectuate the purpose of this Resolution, subject to approval by the Borough Engineer and Attorney.

Introduced by: Councilmember Lane; seconded by Councilmember Koelling - All ayes
The engineer explained this is the county project in relation with the Wegmans road widening project.

BILLS: Municipal Clerk read the Bill Report
Motion to pay bills by Councilmember Lane; seconded by Councilmember Curry - All ayes

REPORT OF REVENUE: Municipal Clerk read the Report of Revenue – March

COMMITTEE REPORTS:

Council President Curry

Board of Health

Mayor Wellness walk on May 20 beginning at the Library entrance

Recreation

Tennis badges are available on line; new program called Out of the Box and it's for children with intellectual or developmental disabilities in Kindergarten through 4th Grade for a 4-week program beginning April 25; Day in the Park June 17; camp registration ongoing;

Construction

\$180,000 ahead of last year in permits; looking for a part time plumbing inspector; permits have been issued for School #2 project;

Went to the girl scout gold awards in honor of LeAnne Drum, Chloe Espino, Jillian Michaels, Jennifer Ryan, Amanda Sailer and Riya Sood

Attended a meeting on March 30 presented by RiverVale and the NJ Bureau of Wildlife Management along with representatives from other surrounding towns to discuss deer management; please do not feed the deer.

Councilmember Gloeggler

Local BOE

100 students registered for kindergarten; will meet with Superintendent Peterson to discuss better communication between the school and councilmembers;

TVAccess

The equipment is in need of repair and or replacement; new members have been appointed; wanted to thanked the current team, doing an amazing job with very old equipment;

Went to freeholder meeting held at the high school – great to see high schoolers participating in being involved in local government

Councilmember Lane

Fire Department

24 calls, 3 drills and 2 extra credits

Firehouse Update

Continues to move forward

Fire Chief announced he will not run for re-election as fire chief ---

Police Commissioner Koelling

Police

Monthly report included in original minutes

Tri-Boro

Montvale logged: 40 calls; 574 miles; 38 crew hours

Environmental Commission

Working on an informational tree pamphlet;

MAYOR

Library

Circulation 10,569; 5,670 patron visits; 20 cards issued; thanks to all who participated in Davey's dining for dollars fundraiser;

Report

Acknowledged Councilmember LaMonica and her many years of service to the community; met with Verizon wireless regarding the issues of drop calls in town, they will be placing a black box on existing poles to meet the demand; Met with residents about some issues like the parking on Akers Ave, neighbor disputes, pot holes and the wall at Wegmans; asking for suggestions as to what to do with the pool site; a town hall meeting has been set for April 20th at 7pm, some attendees will be Assemblywoman Holly Schepisi, Freeholder Tom Sullivan, the borough planner and attorney; encourage businesses to stay in Montvale and will offer contact info with the state for tax incentives; at the last mayor's meeting, it was mentioned that certain towns have been involved in the senior community called age friendly towns, which has a senior citizen advisory committee, the mayor would like to speak to the Montvale senior club.

ENGINEER'S REPORT:

Andrew Hipolit

Report/Update

1. Engineering Proposal Fieldstone Field Turf Replacement

Due to the time constraints, it was recommended to go through a national coop program

2. Engineering Proposal 2017 Road Improvement Program

Resolution will be submitted for next meeting

3. Report Receipt of Bids/Borough Hall Roof Replacement

Mak Group, LLC was the lowest bidder at \$216,310 and both engineer and attorney recommended awarding a contract to them; this will be submitted for next meeting

4. Proposal Grant Application for 2017 Bergen County Open Space Municipal Park Improvement Program

This is a grant for the turf field; seeing as how there is a time constraint with the installation of the turf, applying for this grant may not be applicable

5. Generator

Should be installed in the next few weeks

ATTORNEY REPORT:

Joe Voytus, Esq.

Report/Update

No Report

UNFINISHED BUSINESS:

- a. 2017 Bergen County Board of Chosen Freeholders Resolution Requesting NJDOT Funding From The Department of Transportation Local Bridges, Future Needs Program

A resolution has been submitted by the County to ask for a NJDOT grant to replace the Magnolia bridge

- b. Republican Nominee to finish unexpired term of Councilmember LaMonica

Three names were submitted by the Republication committee as follows: Chirs Volk, Doug Arendacs and Jason Stephans. A motion to nominate Doug Arendacs by Councilmember Koelling; seconded by Councilmember Lane – a roll call vote was taken – all ayes with Councilmember Gloeggler voting no

NEW BUSINESS:

- a. Master Plan Reexamination Report for Block 2702, Lot 1; Block 2802, Lot 2; and Block 3201, Lot 6 / Planning Board Resolution and Report / Authorization for Ordinance

The attorney gave a brief explanation regarding the procedure of the next step which would be to draft an ordinance; a motion for authorization to draft an ordinance by Councilmember Lane; seconded by Councilmember Curry – all ayes

COMMUNICATION CORRESPONDENCE:

None

MEETING OPEN TO THE PUBLIC:

HEARING OF CITIZENS WHO WISH TO ADDRESS THE MAYOR AND COUNCIL:

Upon recognition by the Mayor, the person shall proceed to the floor and give his/her name and address in an audible tone of voice for the records. Unless further time is granted by the Council, he/she shall limit his/her statement to five (5) minutes. Statements shall be addressed to the Council as a body and not to any member thereof. No person, other than the person having the floor, shall be permitted to enter into any discussion, without recognition by the Mayor.

Motion to open meeting to the public by Councilmember Lane; seconded by Councilmember Curry
- all ayes

Carole Adams

Thanked Councilmember Curry for attending the deer management meeting; article in Pascack Press regarding the school funding for Woodcliff Lake, councilmembers of Woodcliff Lake authorized their attorney to present their case to the Appellate Division in Trenton; encouraged councilmembers to contact the Mayor of Woodcliff; Mayor Ghassali spoke with Mayor Rendo before the Trenton meeting and Mayor Rendo spoke on Montvale’s behalf; encouraged councilmembers to attend a Gala event on May 4th at Florentine Gardens for Hoving Home 50th anniversary, The Walter Hoving Home, is a home that helps women to rebuild their lives from drug and alcohol abuse, prostitution and incarceration; a new facility will be opening in Oxford, New Jersey.

Motion to close meeting to the public by Councilmember Lane; seconded by Councilmember Curry
- all ayes

MEETING CLOSED TO THE PUBLIC:

ADJOURNMENT

Motion to adjourn Public Meeting by Councilmember Lane; seconded by Councilmember Curry
- all ayes

Meeting was adjourned at 8:51pm

ADJOURNMENT:

The next Meeting of the Mayor and Council will be held April 25, 2017 at 7:30 p.m.

Public Hearing 2017 Municipal Budget – April 25th, 2017 7:30 p.m.

Respectfully submitted, Fran Scordo, Deputy Municipal Clerk